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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/674,680	GABRIEL ET AL.
	Examiner	Art Unit	
	DENNIS MYINT	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>16 December 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27,29 and 30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27,29 and 30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This communication is responsive to Applicant's Amendment, filed on

December 16, 2008.

2.   Claims 1-27 and 29-30 are currently pending in this application. Claims 1,

16, 18, 19, 26, 27, 29, and 30 are independent claims. In the Amendment filed on

December 16, 2008, claims 18, 26, and 29 were amended. Claim 30 is newly

added. **This office action is made final.**

3.   Applicant's submission of amendment to the specification filed on

December 16, 2008 is considered and entered.

4.   In light of the amendment made to claim 29, objection of said claim in prior

office is hereby withdrawn.

5.   In light of the amendments made claim 18 and the amendment to the

specification filed on December 16, 2008, objections the specification and

drawing(s) and rejection of claim 18 under 35 U.S.C. § 101 is hereby withdrawn.

Response to Arguments

6.   Applicant's arguments filed on December 16, 2008, have been considered

but are not persuasive.

       Referring to claims 1, 18, and 19, Applicant argued that "*Thus, claims 1,*

18, and 19 provide novel and counter-intuitive features in which, in response to a

search request, a schedule is generated including scheduling information

regarding media content from a plurality of media distribution source types,

which, it is noted, often are scheduled in different manners. For example, movie

theatre schedules include gaps as compared to TV program schedules which

are, for the most part, continuous. Neither Williamson et al. nor Willis et al.,

whether considered alone or in combination, disclose or suggest these features"

(Applicant's argument page 11 last paragraph through page 12 first paragraph).

Similarly Applicant argued that *"Willis et al. do not disclose or suggest generating*

a schedule based on the filtered articles" (Applicant's argument, page 12 third

paragraph).

Examiner respectfully disagrees all of the allegations as argued.

Examiner, in his previous office action, gave detail explanation of claimed

limitation and pointed out exact locations in the cited prior art. Examiner is

entitled to give claim limitations their broadest reasonable interpretation in light of

the specification. See MPEP 2111 [R-1] Interpretation of Claims-Broadest

Reasonable Interpretation.

During patent examination, the pending claims must be 'given the

broadest reasonable interpretation consistent with the specification.' Applicant

always has the opportunity to amend the claims during prosecution and broad

interpretation by the examiner reduces the possibility that the claim, once issued,

will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-

51 (CCPA 1969).

In response, it is pointed out that the *"features in which, in response to a*

search request, a schedule is generated including scheduling information

regarding media content from a plurality of media distribution source types" are

taught by Williamson in view of Willis as follows: "generating a results information

of a certain type gleaned from the various filtered articles" (Willis, Paragraph

0085, i.e., *FIG. 1 is an example of a content presentation system including a*

system 100. In FIG. 1, external information from an external information source

105 is received by a content generator 110, which generates a corresponding

article. Many types of external information sources 105 may be used, as will be

discussed in more detail with respect to FIG. 2. Also, content generator 110 may

utilize various techniques for gathering and publishing the information as discrete

articles. For example, content generator 110 may utilize software agents to

gather appropriate information (agents are generally defined as automatons

running ***"on a scheduled basis"*** *and querying a data source for information and*

either producing or not producing content based in part on the result of that

query). Moreover, in other implementations, content generator 110 may be

included within system 100; Willis Paragraph 0089, i.e., *In FIG. 1, then, an article*

reader 115 accesses articles from content generator 110. Some articles may

already include attribute and content metadata information. If a particular article

has no associated metadata, a metadata enhancer 120 may be used to examine

the content of the article and generate metadata accordingly. Even if some

information, such as attribute information, is included with an article, metadata

enhancer 120 may be used to further enhance the article; Willis Paragraph 0096,

i.e., *By accessing databases 135 and 140, content-based router 130 is able* ***to***

filter articles which are restricted or are of no interest with respect to a

particular user. The action of content-based router 130 thus eases the burden

*on **a personalized article processor ("PAP") 145**, which has the job of*

individually prioritizing the remaining articles, based on a comparison of contents

of the user preference database 140 to the content and to the content

metadata/attributes of each article. See also Willis paragraph 0107 and

Paragraphs 0129, 0262, and 0278. Also see Paragraph 0110 of Willis, i.e., *a pool*

of articles from which a subset for each user will be drawn) and **"generate a**

schedule" (Williamson, Figures 12, 13, and 14, and Paragraph 0079, i.e., *For*

example, by pressing guide key 920 on remote control 900 while viewing a

program channel display 1010 in FIG. 12 (which may be a live or played back TV

show, movie, music video, service or the like), a user may access interactive

program guide 1020, **which includes program viewing window 1040, current**

time and channel indicator 1045, *program description box 1050, program grid*

1060 and menu display 1065) "results obtained from a searching a plurality of

media distribution source types" (Willis, Paragraph 0003, i.e., *Such sites are*

*generally known as **"portals**," and provide a central gateway through which users*

can be presented with options and links to various information sources. In this

*way, users can check, for example, their **stocks, mail, local weather, sports***

***scores, and movie listings**; Paragraph 0015, i.e., In another implementation, a*

system combines the concepts of the portal and personalized content with other

delivery channels, such as, for example, telephone, radio, and television;

Paragraph 0088, i.e., Articles may be, for example, text, video, audio, HTML, or

another available rendering medium, or a combination of two or more of these

media. Articles may contain the same piece of content in multiple forms, and may permit generation of one type of content from another, as discussed below; and Paragraph 0094, i.e., *One type of router that is capable of performing the functionality of content-based router 130 is known as Elvin and is produced by the Distributed Systems Technology Centre (DSTC). Other types of content-based services include Gryphon, produced by International Business Machines (IBM), and Keryx, a Java-notification service by Hewlett Packard*).

Therefore, the method of Williamson in view of Willis as a combination would generate, from results of the searching (Willis), a scheduling including scheduling information (Williamson) from searching a plurality of media distribution source types (Willis). This analysis would answer Applicant's argument on page 13 first paragraph which states that *"the modified system would not disclose or suggest the features of any claims of 1, 18, 19, particularly the features of generating a schedule in response to a search request, where the schedule includes scheduling information of results obtained from searching a plurality of media distribution types"*.

Applicants argument also states that *"For example, movie theatre schedules include gaps as compared to TV program schedules which are, for the most part, continuous"* (Applicant's argument, page 12 first paragraph). In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., schedules include gaps) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181,

26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant

relies (i.e., portal information responsive to search criteria, Applicant's argument,

page 12 third paragraph) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181,

26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant also argued that *"one skilled in the art would not arrive at the*

features of any of claim 1, 18, and 19 based on the combination of Williamson et

al. and Willis et al. without an improper hindsight reconstruction based on

Applicant's disclosure" (Applicant's argument, page 13 second paragraph). In

response to applicant's argument that the examiner's conclusion of obviousness

is based upon improper hindsight reasoning, it must be recognized that any

judgment on obviousness is in a sense necessarily a reconstruction based upon

hindsight reasoning. But so long as it takes into account only knowledge which

was within the level of ordinary skill at the time the claimed invention was made,

and does not include knowledge gleaned only from the applicant's disclosure,

such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170

USPQ 209 (CCPA 1971).

Applicant additionally argued that *"claim 16 includes subject matter*

analogous to that of claims 1, 18, and 19 and is therefore patentable for at least

the same reasons set forth above in support of the patentability of claims 1, 18,

and 19" (Applicant's arguments, page 13 fourth paragraph).

In response, it is pointed out that, as discussed in details above, the

combination of Williamson and Willis teaches each and every limitation/feature of

claims 1, 18, and 19 and, as such, claim 16 is similarly unpatentable over the

combination of Williamson and Willis.

Applicant also argued that *"as for claims 2 to 15 and 20, which ultimately*

depend from claim 1 and therefor include all of the features recited in claim 1, it is

respectfully submitted that the combination of Williamson et al., and Willis et al.,

dose not render unpatentable these dependent claims for the same reasons set

forth above in support of the patentability of claim 1" (Applicant's argument, Page

13, fifth paragraph).

In response, it is pointed out that, as discussed in details above, the

combination of Williamson and Willis teaches each and every limitation/feature of

claims 1, 18, and 19 and, as such, any dependent claims of said independent

claims are rendered unpatentable by the combination of Williamson and Willis.

Referring to claim 23, Applicant argued that *"None of the cited sections (or*

any other section) of Williamson et al., or Willis et al., disclose or suggest a

schedule including scheduling information exclusively regarding a selected title.

Further, claim 23 has been amended to recite that the schedule includes

scheduling information pertaining to multiple ones of the plurality of media

distribution source types. The cited references do not disclose scheduling

information regarding a selected title that pertains to multiple media distribution

source types. For these additional reasons, the combination of Williamson et al.

and Willis et al. does not disclose or suggest all of the features of claim 23, and

therefore does not render unpatentable claim 23 for these additional reasons"

(Applicant's argument, page 13 sixth paragraph).

In response, it is pointed out that William in view of Willis as a combination

teaches each and every limitation of claim 23 as follows: As per claim 23,

Williamson in view of Willis teaches the limitations: **"generating from the**

results of the searching an intermediate result page including a plurality of

media content titles of the results" (Willis, Paragraph 0125, i.e., *FIG. 8*

*demonstrates an example of **an HTML result page** 800 that includes article 700.*

Page 800 is generally organized like a newspaper front page, having a headline

805 (which in this case indicates the enterprise sponsoring the page). A main

story 810, corresponding to article 700, is shown in the upper middle portion of

the page. A section 815 shows current levels of the Dow Jones, NASDAQ, and

S&P 500. The rest of page 800 includes additional hypothetical articles not

previously described; Willis' HTML result page maps to the *intermediate result*

page of the claimed invention); **"wherein the schedule is generated"** (

Williamson, Figures 12, 13, and 14, and Paragraph 0079, i.e., *For example, by*

pressing guide key 920 on remote control 900 while viewing a program channel

display 1010 in FIG. 12 (which may be a live or played back TV show, movie,

music video, service or the like), a user may access interactive program guide

*1020, **which includes program viewing window 1040, current time and***

***channel indicator 1045**, program description box 1050, program grid 1060 and*

menu display 1065) **"responsive to a selection of one of the titles of the**

intermediate results page" (Willis, Paragraph 0126, i.e., *The filtering, sorting,*

prioritizing, and paginating processes already described determine whether an

article is displayed in full size (for example, article 700 in section 810), **simply as**

a link (for example, links within sections 820, 825, 830, 835, 840, and 850,

which are shown grouped together with similar articles), with a "more" link

(not shown) that does not include any details but allows access to

additional articles) and "includes scheduling exclusively regarding the selected

title" (Williamson, Paragraph 0099, i.e., *Through the user interface, users can*

then search program data for content that matches the criteria in a user's profile

and return the results to the user's lists of Favorite programs). Note that in the

method of Williamson in view of Willis as a combination, a user can select a title

(Williamson) from the intermediate result page (Willis) which includes links which

could be selected to access more results, that is, generate schedule (s) (as

taught by Williamson**) "and pertaining to multiple ones of the plurality of**

media distribution source types" (Willis, Paragraph 0003, i.e., *Such sites are*

generally known as "portals," and provide a central gateway through which users

can be presented with options and links to various information sources. In this

way, users can check, for example, their **stocks, mail, local weather, sports**

scores, and movie listings; Paragraph 0015, i.e., *In another implementation, a*

system combines the concepts of the portal and personalized content with other

delivery channels, such as, for example, telephone, radio, and television;

Paragraph 0088, i.e., *Articles may be, for example, text, video, audio, HTML, or*

another available rendering medium, or a combination of two or more of these

media. Articles may contain the same piece of content in multiple forms, and may

permit generation of one type of content from another, as discussed below; and

Paragraph 0094, i.e., *One type of router that is capable of performing the*

functionality of content-based router 130 is known as Elvin and is produced by

the Distributed Systems Technology Centre (DSTC). Other types of content-

based services include Gryphon, produced by International Business Machines

(IBM), and Keryx, a Java-notification service by Hewlett Packard).

Referring to claim 25, Applicant argued that *" As further regards claim 25,*

the claim recites that "the user profile identifies, for each of a plurality of source

types, respective preferred media distribution sources." The Office Action refers

to pars. 0084 and 0102 of Williamson et al. as assertedly disclosing this feature.

The cited sections of Williamson et al. are unrelated to preferred media

distribution sources. Moreover, the Office Action apparently intends to refer to

currently broadcast and upcoming programs as disclosing a plurality of source

types. However, the cited sections of Williamson et al. do not disclose

identification of respective preferred distribution sources for the currently

broadcast programs and upcoming programs. For this additional reason, the

combination of Williamson et al. and Willis et al. does not disclose or suggest all

of the features of claim 25, and therefore does not render unpatentable claim 25

for this additional reason" (Applicant's argument, page 14 first paragraph through

page 14 first paragraph).

In response, it is pointed out that Williamson in view of Willis as a combination teaches *"the user profile identifies, for each of a plurality of source types, respective preferred media distribution sources"* (Williamson, Paragraph 0102, i.e., *Referring to FIG. 16, a user may create a new profile by using select key 960 of remote control 900 to select the "Create New **Profile**" link from Favorites submenu 1420 to display search parameters from which a user may choose (1450). These parameters may include programming category, actor(s) name, program title, director, keyword and the like;* Paragraph 0102, i.e., *Similarly, a user may create a profile which provides a user access to all available programming on a certain topic. For example **a profile relating to cooking may include in-progress broadcasts, past broadcasts and out-of-market cooking programs**. In such circumstances, the user may associate a descriptive name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and access each of the multiple profiles at different times;* and Paragraph 0084, i.e., *.. My Shows GUI 1100B lists several categories to assist a user in locating a program through the My Shows feature. Some of these categories may be temporal in nature; that is, a user's reserved programs may be categorized by those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future) or by the reservation date of the program. In one embodiment of the invention, programs that are categorized by reservation date are listed in chronological order beginning with shows that have been most recently reserved (1100C) or in reverse chronological order)*; Willis, Paragraph 0003, i.e., *Such sites are generally known as "**portals**," and provide a*

central gateway through which users can be presented with options and links to

various information sources. In this way, users can check, for example, their

stocks, mail, local weather, sports scores, and movie listings; Paragraph

0015, i.e., *In another implementation, a system combines the concepts of the*

portal and personalized content with other delivery channels, such as, for

example, telephone, radio, and television; Paragraph 0088, i.e., *Articles may be,*

for example, text, video, audio, HTML, or another available rendering medium, or

a combination of two or more of these media. Articles may contain the same

piece of content in multiple forms, and may permit generation of one type of

content from another, as discussed below; and Paragraph 0094, i.e., *One type of*

router that is capable of performing the functionality of content-based router 130

is known as Elvin and is produced by the Distributed Systems Technology Centre

(DSTC). Other types of content-based services include Gryphon, produced by

International Business Machines (IBM), and Keryx, a Java-notification service by

Hewlett Packard

Applicant also argued that that *"as for claim 17, which depends from claim*

16 and therefor include all of the features recited in claim 16, it is respectfully

submitted that the combination of Williamson et al., and Willis et al., dose not

render unpatentable this dependent claim for the same reasons set forth above

in support of the patentability of claim 16" (Applicant's argument, Page 14,

second paragraph).

In response, it is pointed out that, as discussed in details above, the

combination of Williamson and Willis teaches each and every limitation/feature of

claims 1, 18, and 19 as well as claim 16 and, as such, any dependent claims of

said independent claims are rendered unpatentable by the combination of

Williamson and Willis.

Applicant also argued that that *"as for claim 21, which depends from claim*

18 and therefor include all of the features recited in claim 18, it is respectfully

submitted that the combination of Williamson et al., and Willis et al., dose not

render unpatentable this dependent claim for the same reasons set forth above

in support of the patentability of claim 18" (Applicant's argument, Page 14, third

paragraph).

In response, it is pointed out that, as discussed in details above, the

combination of Williamson and Willis teaches each and every limitation/feature of

claims 1, 18, and 19 as well as claim 16 and, as such, any dependent claims of

said independent claims are rendered unpatentable by the combination of

Williamson and Willis.

Applicant also argued that that *"as for claim 22, which depends from claim*

19 and therefor include all of the features recited in claim 19, it is respectfully

submitted that the combination of Williamson et al., and Willis et al., dose not

render unpatentable this dependent claim for the same reasons set forth above

in support of the patentability of claim 1" (Applicant's argument, Page 13, fourth

paragraph).

In response, it is pointed out that, as discussed in details above, the

combination of Williamson and Willis teaches each and every limitation/feature of

claims 1, 18, and 19 as well as claim 16 and, as such, any dependent claims of

said independent claims are rendered unpatentable by the combination of
Williamson and Willis.

Referring to claim 26, Applicant argued that *"The combination of the*
sections thus does not include information generic to all of the media distribution
source types and does not include information specific to each separate media
distribute source type" (Applicant's argument, page 15 first paragraph).

In response, it is pointed out that said argument with respect to claim 26 is
moot in view of the new grounds of rejection, i.e., Williamson in view of Willis and
further in view of Sherr.

Referring to claim 27 Applicant argued that *"the cited sections do not*
disclose or suggest searching for content in accordance with a purchase history"
(Applicant's argument, page 16 first paragraph).

In response, it is pointed out that Williamson in view of Willis teaches:
"searching for content in accordance with a purchase history" (Willis, Paragraph
0004, i.e., *"Other techniques exist that attempt to provide users with content that*
will be of particular interest to each user. For example, web sites may track items
such as books and Digital Video Disks ("DVDs") based on attributes of such
items, such as title, author, performer, and genre. ***By tracking*** *previously -*
purchased ***books and DVDs****, registered users may be presented with a web*
page offering items with similar attributes).

Referring to claim 29, Applicant argued that *"Claim 29 includes subject*
matter analogous to that of claim 1 and is therefore allowable at least essentially
the same reasons as claim 1" (Applicant's argument, page 16 third paragraph).

In response, Applicant is directed to the response regarding claim 1 above, which clearly discusses how Williamson in view of Willis teaches the features in question.

Applicant argued that, referring to new claim 30, *"claim 30 includes subject matter analogous to that of claim 1 and is therefore allowable for at least essentially the same reasons as claim 1"* (Applicant's argument, page 17 second paragraph).

In response, Applicant is directed to the response regarding claim 1 above, which clearly discusses how Williamson in view of Willis teaches the features in question as well as to the response regarding claim 27 regarding "purchase history".

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action. For the above reasons, Examiner believed that rejection of the last Office Action and Current Office Action are proper.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   This application currently names joint inventors. In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

9.   Claim 1-25, 27, and 30 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Williamson et al. (hereinafter "Williamson", U.S. Patent

Application Publication Number 2003/0208767) in view of Willis et al.,

(hereinafter "Willis", U.S. Patent Application Publication Number 2004/0003097).

As per claim 1, Williamson is directed to a method for searching for media

content (Williamson, Paragraph 0135-0137) and teaches the limitations:

"receiving from a user a user profile which identifies preferred

media distribution sources" (Williamson, Paragraph 0102, i.e., *Referring to*

FIG. 16, a user may create a new profile by using select key 960 of remote

*control 900 to select the "Create New **Profile**" link from Favorites submenu 1420*

to display search parameters from which a user may choose (1450). These

parameters may include programming category, actor(s) name, program title,

director, keyword and the like; Williamson, Paragraph 0102, i.e., Similarly, a user

*may create a **profile** which provides a user access to all available programming*

*on a certain topic. For example **a profile relating to cooking may include in-***

progress broadcasts, past broadcasts and out-of-market cooking

***programs**. In such circumstances, the user may associate a descriptive name to*

the profile (such as "Weekend Programs", "My Cooking Stations", etc.) and

access each of the multiple profiles at different times; and Williamson,

Paragraph 0084, i.e., .. My Shows GUI 1100B lists several categories to assist a

user in locating a program through the My Shows feature. Some of these

categories may be temporal in nature; that is, a user's reserved programs may be

categorized by those programs that are in-progress (i.e., currently broadcast),

upcoming (i.e., to be broadcast in the future) or by the reservation date of the

program. In one embodiment of the invention, programs that are categorized by

reservation date are listed in chronological order beginning with shows that have

been most recently reserved (1100C) or in reverse chronological order);

"receiving a search request from a user including at least one

search criteria" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

***users can then search program data** for content that matches the criteria in a*

user's profile and return the results to the user's lists of Favorite programs and

*0135-0157 , i.e. **A search may include one of these parameters or multiple***

***parameters**);

"searching (a plurality of media distribution source types) for

media content based on the at least one search criteria and the user

profile" (Williamson, Paragraph 0099, and Paragraph 0102 and 0135-0157) ;

"a schedule including schedule information regarding the media

content" (Williamson, Figures 12, 13, and 14, and Paragraph 0079, i.e., *For*

example, by pressing guide key 920 on remote control 900 while viewing a

program channel display 1010 in FIG. 12 (which may be a live or played back TV

show, movie, music video, service or the like), ***a user may access interactive***

program guide 1020, which includes program viewing window 1040, current

time and channel indicator 1045*, program description box 1050, program grid*

1060 and menu display 1065) and **"displaying the schedule to the user"**

((Williamson, Figures 12, 13, and 14, and Paragraph 0079).

Williamson does not explicitly teach the limitations: "a plurality of

distribution source types" and "generating, from results of the searching, (a

schedule including scheduling information regarding the media content)". Note

that the limitation in the parenthesis is taught by Williamson in Paragraph 0079

and Figures 12, 13, and 14).

On the other hand, Willis teaches the limitations:

"a plurality of distribution source types" (Willis, Paragraph 0003,

i.e., *Such sites are generally known as "****portals****," and provide a central gateway*

through which users can be presented with options and links to various

information sources. In this way, users can check, for example, their ***stocks,***

mail, local weather, sports scores, and movie listings; Paragraph 0015, i.e.,

In another implementation, a system combines the concepts of the portal and

personalized content with other delivery channels, such as, for example,

telephone, radio, and television; Paragraph 0088, i.e., *Articles may be, for*

example, text, video, audio, HTML, or another available rendering medium, or a

combination of two or more of these media. Articles may contain the same piece

of content in multiple forms, and may permit generation of one type of content

from another, as discussed below; and Paragraph 0094, i.e., *One type of router*

that is capable of performing the functionality of content-based router 130 is

known as Elvin and is produced by the Distributed Systems Technology Centre

(DSTC). Other types of content-based services include Gryphon, produced by

International Business Machines (IBM), and Keryx, a Java-notification service by

Hewlett Packard); and

"generating, from results of the searching, (a schedule including

scheduling information regarding the media content)" (Willis, Paragraph

0085, i.e., *FIG. 1 is an example of a content presentation system including a*

system 100. In FIG. 1, external information from an external information source

105 is received by a content generator 110, which generates a corresponding

article. Many types of external information sources 105 may be used, as will be

discussed in more detail with respect to FIG. 2. Also, content generator 110 may

utilize various techniques for gathering and publishing the information as discrete

articles. For example, ***content generator 110 may utilize software agents to***

gather appropriate information (agents are generally defined as

automatons running "on a scheduled basis" and querying a data source for

information and either producing or not producing content based in part on

the result of that query). Moreover, in other implementations, content generator

110 may be included within system 100; Willis Paragraph 0089, i.e., *In FIG. 1,*

then, an article reader 115 accesses articles from content generator 110. Some

articles may already include attribute and content metadata information. If a

particular article has no associated metadata, a metadata enhancer 120 may

be used to examine the content of the article and generate metadata

accordingly. Even if some information, such as attribute information, is included

with an article, metadata enhancer 120 may be used to further enhance the

article; Willis Paragraph 0096, i.e., *By accessing databases 135 and 140,*

content-based router 130 is able to filter articles which are restricted or are of

no interest with respect to a particular user. The action of content-based

router 130 thus eases the burden on a personalized article processor ("PAP")

145, which has the job of individually prioritizing the remaining articles, based on

a comparison of contents of the user preference database 140 to the content and

to the content metadata/attributes of each article. See also Willis paragraph 0107

and Paragraphs 0129, 0262, and 0278. Also see Paragraph 0110 of Willis, i.e., *a*

pool of articles from which a subset for each user will be drawn).

At the time the invention was made, it would have been obvious to a

person of ordinary skill in the art to modify the method of Williamson to combine

with the features of searching a plurality of media distribution source types and

searching results on periodic basis, as taught by Willis, so that the combined

method would comprise searching a plurality of media distribution source types

for media content on periodic basis and generate, from results of the searching, a

schedule including scheduling information regarding the media content. One

would have been motivated to do so in order to allow users to designate

categories of information in which desired content may be presented (Willis,

Paragraph 0003).

As per claim 2, Williamson in view of Willis teaches the limitation:

"wherein the media content includes at least one of a video, audio,

a still image, printed material, text, a movie, and a television program"

(Williamson, Paragraphs 0039 and 0066).

As per claim 3, Williamson in view of Willis teaches the limitation:

"wherein the information regarding the media content includes

availability information that indicates availability of media content,

which meets the at least one search criteria, from at least one of the

preferred media sources" (Williamson, Paragraph 0084, i.e. …. *upcoming*

programs (i.e. programs that are scheduled to be reserved but has yet to be

broadcast) *and recommended programs…* and Willis Paragraphs 0003, 0088,

and 0094).

As per claim 4, Williamson in view of Willis teaches the limitation:

"wherein the availability information includes at least two of

movie theater show time data, television broadcast data, and retail

data" (Williamson, Paragraph 0084, i.e. …. *upcoming programs* (i.e. programs

that are scheduled to be reserved but has yet to be broadcast) *and*

recommended programs…; Paragraph 0086 , i.e. …. *upcoming* (i.e. to be

broadcast in the future) *or by the reservation date of the program*; and

Paragraph 0088, i.e., *broadcast time for current and future reserved programs,*

*rating (such as G, PG-13 and R….*and Willis Paragraph 0003, i.e., *In this way,*

users can check, for example, their stocks, mail, local weather, sports scores,

*and **movie listings**).*

As per claim 5, Williamson in view of Willis teaches the limitation:

"wherein the search for media content is performed on at least

one database" (Williamson, Figure 1: Library Manager 113, ; Paragraph 0048,

i.e. *…forwards the same to library manager 113 for long-term storage*; and

Paragraph 0039, i.e., *database services*).

As per claim 6, Williamson in view of Willis teaches the limitation:

"wherein the user profile includes at least one of a zip code and a

television provider data" (Williamson, Paragraph 0150, i.e. … *having*

specified zip codes).

As per claim 7, Williamson in view of Willis teaches the limitation:

"providing online purchase capabilities such that the user is able

to purchase at least one of the media content, tickets to view or hear the

media content, and merchandise related to the media content"

(Williamson, Paragraph 0127-0128, i.e. ....*including Add Video to Shopping*

Cart 3321, Buy CD 3322, Buy Video 3323, Concert Information 3324, MP3

Download 3325 and Photos 3326).

As per claim 8, Williamson in view of Willis teaches the limitation:

"wherein the plurality of media distribution source types includes

at least two of: i) at least one movie theater source type, ii) a local cable

TV or satellite TV provider source type, iii) preferred online retailer

source type" (Williamson, Paragraph 0039, i.e., *Headend 105 receives*

programs and services from various providers and sources, e.g., analog and

digital satellite sources, application servers, media servers, the Internet etc.; and

Willis Paragraph 0003, i.e., *In this way, users can check, for example, their*

*stocks, mail, local weather, sports scores, and **movie listings***).

As per claim 9, Williamson in view of Willis teaches the limitation:

"wherein the search criteria includes at least one of title data, cast

member data, and director data" (Williamson, Paragraph 0102, i.e., *These*

parameters may include programming category, actor(s) names, program title,

director, keyword and the like).

As per claim 10, Williamson in view of Willis teaches the limitation:

"wherein the information regarding the media content is

displayed on at least one of: i) a display associated with a set-top box, ii)

a display of a computer arrangement, a TV, a wireless device, and a cell

phone" (Williamson, Figures 12-16, Paragraph 0070, and Paragraph 0095).

As per claim 11, Williamson in view of Willis teaches the limitation:

"notifying the user in the future when the media content becomes

available from at least one of the preferred media distribution sources,

if the media content is not currently available from the at least one of

the preferred media distribution sources" (Williamson, Paragraph 0150-

0153, "Messaging Service" and Willis Paragraphs 0003, 0088, and 0094).

As per claim 12, Williamson in view of Willis teaches the limitation:

"notifying the user in the future when the media content becomes

available from at least one non-preferred media distribution source"

(Williamson, Paragraph 0150-0153, i.e., *Messaging Service* and Paragraph

0139-0148, i.e., *Commercial Targeting and Playback Monitoring;* and Willis

Paragraphs 0003, 0088, and 0094).

As per claim 13, Williamson in view of Willis teaches the limitation:

"wherein the user is notified via at least one of email, instant message, and postal mail" (Williamson, Paragraph 0150-0153, i.e., *Messaging Service*).

As per claim 14, Williamson in view of Willis teaches the limitation:

"periodically searching for the availability information related to at least one of the preferred media distribution sources if the media content is not currently available from the at least one of the preferred media distribution sources" (Williamson, Paragraph 0084, i.e.

...recommended programs (i.e., programs that the system reserves automatically based on user profile..; and Willis Paragraphs 0003, 0085, 0088, and 0094).

As per claim 15, Williamson in view of Willis teaches the limitation:

"requesting a user notification of when the media content becomes available from at least one preferred media distribution source, if the media content is not currently available from the at least one preferred media distribution source" (Williamson, Paragraph 0151, i.e., *The subscriber content level;* and Willis Paragraphs 0003, 0088, and 0094).

As per claim 16, Williamson in view of Willis teaches the limitations:

"determining an availability of the media content from a plurality

of media distribution sources that are selected" (Willis, Paragraph 0003,

i.e., *Such sites are generally known as "**portals**," and provide a central gateway*

through which users can be presented with options and links to various

*information sources. In this way, **<u>users can check</u>,** for example, their **stocks,***

***mail, local weather, sports scores, and movie listings**;* Paragraph 0015, i.e.,

In another implementation, a system combines the concepts of the portal and

personalized content with other delivery channels, such as, for example,

telephone, radio, and television; Paragraph 0088, i.e., *Articles may be, for*

example, text, video, audio, HTML, or another available rendering medium, or a

combination of two or more of these media. Articles may contain the same piece

of content in multiple forms, and may permit generation of one type of content

from another, as discussed below; and Paragraph 0094, i.e., *One type of router*

that is capable of performing the functionality of content-based router 130 is

known as Elvin and is produced by the Distributed Systems Technology Centre

(DSTC). Other types of content-based services include Gryphon, produced by

International Business Machines (IBM), and Keryx, a Java-notification service by

Hewlett Packard); Willis, Paragraph 0085, i.e., *FIG. 1 is an example of a content*

presentation system including a system 100. ***In FIG. 1, external information***

from an external information source 105 is received by a content generator

***110, which generates a corresponding article**. Many types of external*

information sources 105 may be used, as will be discussed in more detail with

respect to FIG. 2. Also, content generator 110 may utilize various techniques for

gathering and publishing the information as discrete articles*. For example,*

content generator 110 may utilize software agents to gather appropriate

information (agents are generally defined as automatons running "on a

*scheduled basis" and querying a data source for information and **either***

***producing or not producing** content based in part on the result of that query)*

"in accordance with at least one user selection interpreted based on a

user-profile, the plurality of media distribution sources including

different types of media distribution sources" (Williamson, Paragraph

0084, i.e., *My Shows GUI provides a user with a list of available programs that*

have been reserved by the user. In the case where multiple users in a household

are served by a set-top terminal, each user may utilize the My Shows GUI to

create his/her own list of reserved programs. Referring to FIG. 13, when a user

reserves a program, the reserved program are listed in the "My Shows" GUI

*(e.g., 1100A, 1100C) accessible from Home GUI 1030. In one embodiment, **the***

My Shows GUI enables a user to find, sort and manage programs, including

***reserved programs** (i.e., programs that have already been reserved and are*

currently available for viewing), upcoming programs (i.e., programs that are

scheduled to be reserved but have yet to be broadcast) and recommended

*programs (i.e., programs that the system reserves automatically **based on user***

***profile**); Williamson, Paragraph 0099, i.e., s *multiple users in a household may*

*establish **one or more personal profiles** that enables users to sort content and*

*channels by **the user's personal content preferences**);*

"generating, based on determination, a schedule including

information regarding the availability of the media content from the

plurality of media distribution sources" (Willis Paragraph 0003 and 0085 in

view of Williamson Paragraph 0084 and figures 12-16); and

"displaying the schedule on a single page" (Williamson Figures 12-

16; and Willis Paragraphs 0003, 0088, and 0094).

As per claim 17, Williamson in view of Willis teaches the limitation:

"allowing a user to request, from the single page, notification in

the future when the media content becomes available from at least one

of the media distribution sources, if the media content is not currently

available from the at least one of the media distribution sources"

(Williamson, Figures 12-16 and Paragraph 0151, i.e. ....*those users who request*

baseball programs frequently may be grouped as baseball fan-users. Thus the

messaging service *in question may **from time to time provide targeted***

***messages concerning baseball games**, equipment, etc. to such baseball fan-*

users. In addition, the messaging service may provide personal messages to a

user, including messages concerning the user's account, an expiration of the

user's reserved program, etc.; and Willis Paragraphs 0003, 0088, and 0094).

Claim 18 is essentially the same as claim 1 except that it set forth the

claimed invention as a system rather than a method for searching for media

content and rejected for the same reasons as applied hereinabove. Williamson

teaches "a processor" (Williamson Figure 1, i.e., *A/S Processor 109;*) and "*at*

least one computing arrangement configured to communicate with the processor

via a communications networks" (Williamson, paragraphs 0038-0039). Also note

paragraph 0094-0095 of Willis for "communications networks".

Claim 19 is essentially the same as claim 1 except that it set forth the

claimed invention as a hardware-implemented apparatus rather than a method

for searching for media content and rejected for the same reasons as applied

hereinabove.

As per claim 20, Williamson in view of Willis teaches the limitations:

"interpreting at least a portion of the at least one search criteria

in accordance with user profile" (Williamson, Paragraph 0101, i.e., *If the*

user wants to find a program that meets the parameters of the user's existing

Favorite profile, the "Find Favorite Shows" feature is selected from the Favorites

submenu 1420 ; and Figure 15: *Continue to narrow search until one or two*

criteria have been established, e.g., Actor's name + category; Williamson,

Paragraph 0084, i.e., *My Shows GUI provides a user with a list of available*

programs that have been reserved by the user. In the case where multiple users

in a household are served by a set-top terminal, each user may utilize the My

Shows GUI to create his/her own list of reserved programs. Referring to FIG. 13,

when a user reserves a program, the reserved program are listed in the "My

Shows" GUI (e.g., 1100A, 1100C) accessible from Home GUI 1030. In one

*embodiment, **the My Shows GUI enables a user to find, sort and manage***

***programs, including reserved programs** (i.e., programs that have already*

been reserved and are currently available for viewing), upcoming programs (i.e.,

programs that are scheduled to be reserved but have yet to be broadcast) and

recommended programs (i.e., programs that the system reserves automatically

***based on user profile**);* Williamson, Paragraph 0099, i.e., s *multiple users in a*

*household may establish **one or more personal profiles** that enables users to*

*sort content and channels by **the user's personal content preferences**)* and

"where the searching is based, at least in part on interpreting"

(Williamson, Paragraph 0101 and Figure 15; Note that any search involves

interpreting search criteria; Williamson, Paragraph 0084, i.e., *My Shows GUI*

provides a user with a list of available programs that have been reserved by the

user. In the case where multiple users in a household are served by a set-top

terminal, each user may utilize the My Shows GUI to create his/her own list of

reserved programs. Referring to FIG. 13, when a user reserves a program, the

reserved program are listed in the "My Shows" GUI (e.g., 1100A, 1100C)

*accessible from Home GUI 1030. In one embodiment, **the My Shows GUI***

enables a user to find, sort and manage programs, including reserved

***programs** (i.e., programs that have already been reserved and are currently*

available for viewing), upcoming programs (i.e., programs that are scheduled to

be reserved but have yet to be broadcast) and recommended programs (i.e.,

*programs that the system reserves automatically **based on user profile**);*

Williamson, Paragraph 0099, i.e., s *multiple users in a household may establish*

one or more personal profiles *that enables users to sort content and channels*

*by **the user's personal content preferences***).

Claim 21 is essentially the same as claim 20 except that it set forth the

claimed invention as a system rather than a method for searching for media

content and rejected for the same reasons as applied hereinabove.

Claim 22 is essentially the same as claim 20 except that it set forth the

claimed invention as a hardware-implemented apparatus rather than a method

for searching for media content and rejected for the same reasons as applied

hereinabove.

As per claim 23, Williamson in view of Willis teaches the limitations:

"generating from the results of the searching an intermediate

result page including a plurality of media content titles of the results"

(Willis, Paragraph 0125, i.e., *FIG. 8 demonstrates an example of **an HTML***

result page *800 that includes article 700. Page 800 is generally organized like a*

newspaper front page, having a headline 805 (which in this case indicates the

enterprise sponsoring the page). A main story 810, corresponding to article 700,

is shown in the upper middle portion of the page. A section 815 shows current

levels of the Dow Jones, NASDAQ, and S&P 500. The rest of page 800 includes

additional hypothetical articles not previously described; Willis' HTML result page

maps to the *intermediate result page* of the claimed invention);

"wherein the schedule is generated" (Williamson, Figures 12, 13, and

14, and Paragraph 0079, i.e., *For example, by pressing guide key 920 on remote*

control 900 while viewing a program channel display 1010 in FIG. 12 (which may

be a live or played back TV show, movie, music video, service or the like), a user

may access interactive program guide 1020, **which includes program viewing**

window 1040, current time and channel indicator 1045, *program description*

box 1050, program grid 1060 and menu display 1065) **"responsive to a**

selection of one of the titles of the intermediate results page" (Willis,

Paragraph 0126, i.e., *The filtering, sorting, prioritizing, and paginating processes*

already described determine whether an article is displayed in full size (for

example, article 700 in section 810), **simply as a link (for example, links within**

sections 820, 825, 830, 835, 840, and 850, which are shown grouped

together with similar articles), with a "more" link (not shown) that does not

include any details but allows access to additional articles) and "includes

scheduling exclusively regarding the selected title" (Williamson, Paragraph 0099,

i.e., *Through the user interface, users can then search program data for content*

that matches the criteria in a user's profile and return the results to the user's lists

of Favorite programs). Note that in the method of Williamson in view of Willis as a

combination, a user can select a title (Williamson) from the intermediate result

page (Willis) which includes links which could be selected to access more

results, that is, generate schedule (s) (as taught by Williamson**) "and**

pertaining to multiple ones of the plurality of media distribution source

types" (Willis, Paragraph 0003, i.e., *Such sites are generally known as "**portals**,"*

and provide a central gateway through which users can be presented with

options and links to various information sources. In this way, users can check, for

*example, their **stocks, mail, local weather, sports scores, and movie listings***;

Paragraph 0015, i.e., *In another implementation, a system combines the*

concepts of the portal and personalized content with other delivery channels,

such as, for example, telephone, radio, and television; Paragraph 0088, i.e.,

Articles may be, for example, text, video, audio, HTML, or another available

rendering medium, or a combination of two or more of these media. Articles may

contain the same piece of content in multiple forms, and may permit generation

of one type of content from another, as discussed below; and Paragraph 0094,

i.e., *One type of router that is capable of performing the functionality of content-*

based router 130 is known as Elvin and is produced by the Distributed Systems

Technology Centre (DSTC). Other types of content-based services include

Gryphon, produced by International Business Machines (IBM), and Keryx, a

Java-notification service by Hewlett Packard).

As per claim 24, Williamson in view of Willis teaches the limitations:

"wherein the searching is exclusively within content provided by

the preferred media distribution sources" (Williamson, Paragraph 0099,

i.e., *Through the user interface, users can then search program data for content*

that matches the criteria in a user's profile and return the results to the user's lists

of Favorite programs and 0135-0157 , i.e. *A search may include one of these*

parameters or multiple parameters; Paragraph 0102, i.e., *Similarly, a user may*

create a profile which provides a user access to all available programming on a

certain topic. For example a profile relating to cooking may include in-progress

broadcasts, past broadcasts and out-of-market cooking programs. In such

circumstances, the user may associate a descriptive name to the profile (such as

"Weekend Programs", "My Cooking Stations", etc.) and "is for media content that

satisfies the search criteria" (Williamson, Paragraph 0099, i.e., *Through the user*

interface, users can then search program data for content that matches the

criteria in a user's profile and return the results to the user's lists of Favorite

programs).

As per claim 25, Williamson in view of Willis teaches the limitations:

"the user profiles identifies, for each of a plurality of source types,

respective preferred distribute sources" (Williamson, Paragraph 0102, i.e.,

Referring to FIG. 16, a user may create a new profile by using select key 960 of

*remote control 900 to select the "Create New **Profile**" link from Favorites*

submenu 1420 to display search parameters from which a user may choose

(1450). These parameters may include programming category, actor(s) name,

program title, director, keyword and the like; Paragraph 0102, i.e., *Similarly, a*

user may create a profile which provides a user access to all available

*programming on a certain topic. For example **a profile relating to cooking may***

include in-progress broadcasts, past broadcasts and out-of-market

***cooking programs**. In such circumstances, the user may associate a descriptive*

name to the profile (such as "Weekend Programs", "My Cooking Stations", etc.)

and access each of the multiple profiles at different times; and Paragraph 0084,

i.e., .. My Shows GUI 1100B lists several categories to assist a user in locating a

program through the My Shows feature. Some of these categories may be

temporal in nature; that is, a user's reserved programs may be categorized by

those programs that are in-progress (i.e., currently broadcast), upcoming (i.e., to

be broadcast in the future) or by the reservation date of the program. In one

embodiment of the invention, programs that are categorized by reservation date

are listed in chronological order beginning with shows that have been most

recently reserved (1100C) or in reverse chronological order); Willis, Paragraph

0003, i.e., *Such sites are generally known as **"portal**s," and provide a central*

gateway through which users can be presented with options and links to various

*information sources. In this way, users can check, for example, their **stocks,***

mail, local weather, sports scores, and movie listings; Paragraph 0015, i.e.,

In another implementation, a system combines the concepts of the portal and

personalized content with other delivery channels, such as, for example,

telephone, radio, and television; Paragraph 0088, i.e., *Articles may be, for*

example, text, video, audio, HTML, or another available rendering medium, or a

combination of two or more of these media. Articles may contain the same piece

of content in multiple forms, and may permit generation of one type of content

from another, as discussed below; and Paragraph 0094, i.e., *One type of router*

that is capable of performing the functionality of content-based router 130 is

known as Elvin and is produced by the Distributed Systems Technology Centre

(DSTC). Other types of content-based services include Gryphon, produced by

International Business Machines (IBM), and Keryx, a Java-notification service by

Hewlett Packard);

"the search criteria includes a selection of a subset of the source

types" (Paragraph 0084, i.e., *.. My Shows GUI 1100B lists **several categories***

to assist a user in locating a program through the My Shows feature. Some of

*these categories may be temporal in nature; that is, **a user's reserved***

***programs may be categorized** by those programs that **are in-progress** (i.e.,*

*currently broadcast), **upcoming** (i.e., to be broadcast in the future) or by the*

reservation date of the program. In one embodiment of the invention, programs

that are categorized by reservation date are listed in chronological order

beginning with shows that have been most recently reserved (1100C) or in

reverse chronological order) ; and

"responsive to the search request" (Williamson, Paragraph 0099, i.e.,

Through the user interface, users can then search program data for content that

matches the criteria in a user's profile and return the results to the user's lists of

Favorite programs and 0135-0157, i.e. *A search may include one of these*

parameters or multiple parameters), **"the search is performed within content**

provided by the preferred media distribution sources of the selected

subsets of the source types" (Williamson, Paragraph 0099, i.e., *Through the*

user interface, users can then search program data for content that matches the

criteria in a user's profile and return the results to the user's lists of Favorite

programs).

As per claim 27, Williamson in view of Willis teaches the limitations:

"responsive to a request for media content suggestions,

periodically" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

users can then search program data for content that matches the criteria in a

user's profile and return the results to the user's lists of Favorite programs and

0135-0157, i.e. *A search may include one of these parameters or multiple*

parameters), "periodically" (Willis, Paragraph 0085, i.e., ***"on a scheduled***

basis"):

"searching for media content of a plurality of media distribution

source types" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

users can then search program data for content that matches the criteria in a

user's profile and return the results to the user's lists of Favorite programs; Willis,

Paragraph 0003, i.e., *Such sites are generally known as "**portals**," and provide a*

central gateway through which users can be presented with options and links to

various information sources. In this way, users can check, for example, their

stocks, mail, local weather, sports scores, and movie listings; Paragraph

0015, i.e., *In another implementation, a system combines the concepts of the*

portal and personalized content with other delivery channels, such as, for

example, telephone, radio, and television; Paragraph 0088, i.e., *Articles may be,*

for example, text, video, audio, HTML, or another available rendering medium, or

a combination of two or more of these media. Articles may contain the same

piece of content in multiple forms, and may permit generation of one type of

content from another, as discussed below; and Paragraph 0094, i.e., *One type of*

router that is capable of performing the functionality of content-based router 130

is known as Elvin and is produced by the Distributed Systems Technology Centre

(DSTC). Other types of content-based services include Gryphon, produced by

International Business Machines (IBM), and Keryx, a Java-notification service by

Hewlett Packard), **"the searching begin in accordance with at least one of**

a user viewing history and a user purchase history" (Williamson,

Paragraph 0084, i.e., *.. My Shows GUI 1100B lists several categories to assist a*

user in locating a program through the My Shows feature. Some of these

categories may be temporal in nature; that is, a user's reserved programs may be

categorized by those programs that are in-progress (i.e., currently broadcast),

upcoming (i.e., to be broadcast in the future) or by the reservation date of the

program. In one embodiment of the invention, programs that are categorized by

reservation date are listed in chronological order beginning with shows that have

been most recently reserved (1100C) or in reverse chronological order;

Williamson, Paragraph 0102, i.e., *Similarly, a user may create a profile which*

provides a user access to all available programming on a certain topic. For

example a profile relating to cooking may include in-progress broadcasts, past

broadcasts and out-of-market cooking programs. In such circumstances, the user

may associate a descriptive name to the profile (such as "Weekend Programs",

*"My Cooking Stations", etc.) and access each of the multiple profiles **at different***

***times**);* and

"displaying the results of the search" (Williamson, Figures 12, 13, and

14, and Paragraph 0079).

As per claim 30, Williamson in view of Willis teaches the limitations:

"responsive to a request for media content suggestions,

periodically" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

users can then search program data for content that matches the criteria in a

user's profile and return the results to the user's lists of Favorite programs and

0135-0157, i.e. A search may include one of these parameters or multiple

parameters), "periodically" (Willis, Paragraph 0085, i.e., ***"on a scheduled***

***basis"**);*

"searching for media content of a plurality of media distribution

source types" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

users can then search program data for content that matches the criteria in a

user's profile and return the results to the user's lists of Favorite programs; Willis,

Paragraph 0003, i.e., *Such sites are generally known as* ***"portals,"*** *and provide a*

central gateway through which users can be presented with options and links to

various information sources. In this way, users can check, for example, their

stocks, mail, local weather, sports scores, and movie listings*;* Paragraph

0015, i.e., *In another implementation, a system combines the concepts of the*

portal and personalized content with other delivery channels, such as, for

example, telephone, radio, and television; Paragraph 0088, i.e., *Articles may be,*

for example, text, video, audio, HTML, or another available rendering medium, or

a combination of two or more of these media. Articles may contain the same

piece of content in multiple forms, and may permit generation of one type of

content from another, as discussed below; and Paragraph 0094, i.e., *One type of*

router that is capable of performing the functionality of content-based router 130

is known as Elvin and is produced by the Distributed Systems Technology Centre

(DSTC). Other types of content-based services include Gryphon, produced by

International Business Machines (IBM), and Keryx, a Java-notification service by

Hewlett Packard **), "the searching being in accordance with a user**

purchase history" (Willis, Paragraph 0004, i.e., *"Other techniques exist that*

attempt to provide users with content that will be of particular interest to each

user. For example, web sites may track items such as books and Digital Video

Disks ("DVDs") based on attributes of such items, such as title, author,

performer, and genre. **By tracking <u>previously -purchased</u> books and DVDs,**

<u>*registered users may be presented with a web page offering items with similar*</u>

<u>*attributes"*</u>*)* and

"displaying results of the search" (Williamson, Figures 12, 13, and 14,

and Paragraph 0079).

10.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Williamson in view of Willis and further in view of Sherr et al., (hereinafter "Sherr",

U.S. Patent Application Publication Number 2002/0154157).

As per claim 26, Williamson in view of Willis teaches the limitations:

"receiving from a user a user profile which identifies preferred

media distribution sources" (Williamson, Paragraph 0102, i.e., *Referring to*

FIG. 16, a user may create a new profile by using select key 960 of remote

control 900 to select the "Create New **Profile***" link from Favorites submenu 1420*

to display search parameters from which a user may choose (1450). These

parameters may include programming category, actor(s) name, program title,

director, keyword and the like; Paragraph 0102, i.e., *Similarly, a user may create*

a profile which provides a user access to all available programming on a certain

topic. For example ***a profile relating to cooking may include in-progress***

broadcasts, past broadcasts and out-of-market cooking programs. In such

circumstances, the user may associate a descriptive name to the profile (such as

"Weekend Programs", "My Cooking Stations", etc.) and **access each of the**

multiple profiles at different times*; and Paragraph 0084, i.e., .. My Shows GUI*

1100B lists several categories to assist a user in locating a program through the

My Shows feature. Some of these categories may be temporal in nature; that is,

a user's reserved programs may be categorized by those programs that are in-

progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future)

or by the reservation date of the program. In one embodiment of the invention,

programs that are categorized by reservation date are listed in chronological

order beginning with shows that have been most recently reserved (1100C) or in

reverse chronological order);

"receiving a search request from a user including at least one

search criteria" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

users can then search program data for content that matches the criteria in a

user's profile and return the results to the user's lists of Favorite programs and

0135-0157, i.e. A search may include one of these parameters or multiple

parameters);

"searching a plurality of media distribution source types for

media content based on the at least one search criteria and the user

profile" (Williamson, Paragraph 0099, i.e., *Through the user interface, users*

can then search program data for content that matches the criteria in a user's

profile and return the results to the user's lists of Favorite programs and 0135-

0157, i.e. *A search may include one of these parameters or multiple parameters;*

Willis, Paragraph 0003, i.e., *Such sites are generally known as **"portals,"** and*

provide a central gateway through which users can be presented with options

and links to various information sources. In this way, users can check, for

*example, their **stocks, mail, local weather, sports scores, and movie listings**;*

Paragraph 0015, i.e., *In another implementation, a system combines the*

concepts of the portal and personalized content with other delivery channels,

such as, for example, telephone, radio, and television; Paragraph 0088, i.e.,

Articles may be, for example, text, video, audio, HTML, or another available

rendering medium, or a combination of two or more of these media. Articles may

contain the same piece of content in multiple forms, and may permit generation

of one type of content from another, as discussed below; and Paragraph 0094,

i.e., *One type of router that is capable of performing the functionality of content-*

based router 130 is known as Elvin and is produced by the Distributed Systems

Technology Centre (DSTC). Other types of content-based services include

Gryphon, produced by International Business Machines (IBM), and Keryx, a

Java-notification service by Hewlett Packard);

"generating, from results of the searching, a result page including

a first section having information of the results that applies to all of the

media distribution source types from which the results were obtained"

(Willis, Figure 8, i.e., "***810: Four of our top customers in the Eastern Region***

have pending complaints" and Paragraph 0126, i.e., *"The filtering, sorting,*

prioritizing, and paginating processes already described determine whether an

article displayed in full size (for example, article 700 in section 810), simply as a

link (for example, links within sections 820, 825, 830, 835, 840, and 850, which

are show grouped together with similar articles), with a more "link" (not show)

that does not include any details but allows access to additional articles, or not at

all (in case there is no room on the screen). The rules under which the articles

are rendered generally take into accounts both subjective (that is , according to

user preferences) and objective (that is , according to the author) levels of

importance assigned to each article and its content); Note that ***inks within***

sections 820, 825, 830, 835, 840, and 850, which are show grouped together

with similar articles maps "a first section" of claim 26) , and**, "for each of the**

media distribution source types from which the results were obtained, a

respective second section having information specific to the respective

media distribution type, including all of the results obtained from the

respective media distribution source type" (Willis, Figure 8 and paragraph

127, i.e., *In Fig 8, the highest-ranking article occupies a central location. If two or*

more articles are categorized as highest ranking, then a number of options are

available for deciding how and whether to display them. Examples include: (i)

one article could be selected, at random or otherwise, (ii) all, or some, of the

articles could be rotated in and out of the page (which uses time slicing as well

as real estate allocation), (iii) **if there is enough space, then all of the articles**

could be displayed, or at least part of each of them, for example, by giving

each article the same amount of space or allocating space based on

priority*, and (iv) one article could be selected for full, or primary display, and the*

others could be identified with links indicating title of the article or with a "more"

link"; Note that Figure 8 only one of a plurality of possible display layouts. If there

is enough space on the screen, the method and system of Willis displays a first

section containing similar articles grouped together as links (as in "***inks within***

sections 820, 825, 830, 835, 840, and 850, which are show grouped together

with similar articles" of the exemplary Figure 8) and all or part of each article

would be displayed in the second section, which are obtained from respective

media distribution source); and

> **"displaying the result page"** (Figure 8 of Willis).

Williamson in view of Willis does not explicitly teach the limitation: "a fist

section having <u>generic</u> information of the results that applies to all of the media

distribution source types from which the results are obtained and <u>not including</u>

<u>information that is specific to any one of the media distribution source types</u>".

On the other hand, Sherr teaches the limitation:

"a fist section having <u>generic</u> information of the results that

applies to all of the media distribution source types from which the

results are obtained and <u>not including information that is specific to any</u>

one of the media distribution source types" (Sherr, Figure 9, i.e., *"914, A*

romantic comedy about a sports agent who suddenly discovers his scruples";

Note that item 914 of Figure 9 of Sherr is a display section which includes

generic information of the search results; Item 902 of said Figure 9 shows

"specific information" and "source types" of reviews; Also note Paragraph 0094 of

Sherr, i.e., *"A synopsis 914 of the selected content item (such as a movie*

synopsis) may also be included on the focused page 909).

At the time the invention was made, it would have been obvious to a

person of ordinary skill in the art to modify the method of Williamson in view of

Willis to add the feature of including a section on a result page which shows

generic information of the search result(s) to the method of Williamson in view of

Willis so that the resultant method would comprise a fist section having generic

information of the results that applies to all of the media distribution source types

from which the results are obtained and not including information that is specific

to any one of the media distribution source types. One would have been

motivated to do so in order to provide user interfaces which are not only easy to

operate but also provide distinguishable format, an opportunity to obtain various

types of information about content pieces, and a inducement to select content

pieces (Sherr Paragraph 0008).

11.   Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Williamson in view of Willis and further in view of Sheikh et al., (hereinafter

"Sheikh", U.S. Patent Application Publication Number 2002/0078382).

As per claim 29, Williamson in view of Willis as applied to claim 1 teaches

the limitations:

"receiving from a user a user profile which identifies preferred

media distribution sources" (Williamson, Paragraph 0102 and Paragraph

0102) "which are of a plurality of media distribution source types" (Willis,

Paragraphs 0003, 0088, and 0094);

"receiving a search request from a user including at least one

search criteria" (Williamson, Paragraph 0099, i.e., *Through the user interface,*

users can then search program data for content that matches the criteria in a

user's profile and return the results to the user's lists of Favorite programs);

"searching the preferred media distribution sources for media

content based on the at least one search criteria and the user profile"

(Williamson, Paragraph 0099, i.e., *Through the user interface, users can then*

search program data for content that matches the criteria in a user's profile and

return the results to the user's lists of Favorite programs);

"generating, from the results of the searching" (Willis, Paragraphs

0085, 0089, 0096, and 0110), "a schedule including scheduling information

regarding the media content of the returned results" (Williamson, Figures 12, 13,

and 14, and Paragraph 0079); and "**displaying the schedule to the user**"

(Williamson, Figures 12, 13, and 14, and Paragraph 0079);

"periodically searching the plurality of media distribution source

types for media content, the periodic searching being unconstrained by

at least one of the at least one search criteria, the user profile, and the

identification of the preferred media distribution sources of the user

profile" (Willis, Paragraph 0085, i.e., *FIG. 1 is an example of a content*

presentation system including a system 100. In FIG. 1, external information from

an external information source 105 is received by a content generator 110, which

generates a corresponding article. Many types of external information sources

105 may be used, as will be discussed in more detail with respect to FIG. 2. Also,

content generator 110 may utilize various techniques for gathering and

publishing the information as discrete articles. For example, content generator

110 may utilize software agents to gather appropriate information (agents are

*generally defined as automatons running **"on a scheduled basis" and***

querying a data source for information and either producing or not

***producing content** based in part on the result of that query). Moreover, in other*

implementations, content generator 110 may be included within system 100;

Note that periodic querying of the method of Willis is not constrained by user

profile); **"based on the identification of the preferred media distribution**

sources of the user profile" (Williamson, Paragraph 0102, i.e., *Referring to*

FIG. 16, a user may create a new profile by using select key 960 of remote

*control 900 to select the "Create New **Profile**" link from Favorites submenu 1420*

to display search parameters from which a user may choose (1450). These

parameters may include programming category, actor(s) name, program title,

director, keyword and the like; Paragraph 0102, i.e., Similarly, a user may create

a profile which provides a user access to all available programming on a certain

*topic. For example **a profile relating to cooking may include in-progress***

***broadcasts, past broadcasts and out-of-market cooking programs**. In such*

circumstances, the user may associate a descriptive name to the profile (such as

*"Weekend Programs", "My Cooking Stations", etc.) and **access each of the***

***multiple profiles at different times**; and Paragraph 0084, i.e., .. My Shows GUI*

1100B lists several categories to assist a user in locating a program through the

My Shows feature. Some of these categories may be temporal in nature; that is,

a user's reserved programs may be categorized by those programs that are in-

progress (i.e., currently broadcast), upcoming (i.e., to be broadcast in the future)

or by the reservation date of the program. In one embodiment of the invention,

programs that are categorized by reservation date are listed in chronological

order beginning with shows that have been most recently reserved (1100C) or in

reverse chronological order) and

"responsive to a return of results by the periodic searching:

generating, from the results of the periodic searching" (Willis, Paragraphs

0085, 0089, 0096, and 0110), "the schedule" (Williamson, Figures 12, 13, and

14, and Paragraph 0079); and

"displaying the schedule to the user" (Williamson, Figures 12, 13, and 14, and Paragraph 0079).

Williamson in view of Willis does not explicitly teach the limitations: "if the searching returns results" and "if the searching does not return any results".

On the other hand, Sheikh teaches the limitations:

"if the searching returns results" (Sheikh, Paragraph 0053, i.e., *If no result is returned, the agent transport waits a set period of time and reexecutes the sensor in Step 620.* **If data is returned by the sensor***, the agent transport encrypts the result and writes the data to the disc on the host sensor in Step 624 for further treatment*) and

"if the searching does not return any results" (Sheikh, Paragraph 0053, i.e., **If no result is returned***, the agent transport waits a set period of time and reexecutes the sensor in Step 620. If data is returned by the sensor, the agent transport encrypts the result and writes the data to the disc on the host sensor in Step 624 for further treatment*).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method of Williamson in view of Willis to add the feature of making a decision on whether a search returns results or not and performing actions based on said decision, as taught by Sheikh, to the method of Williamson in view of Willis, so that the resultant method would determine if the searching returns results and if it does, would generate results and if it does not, it would keep on searching periodically to obtain results. One

would have been motivated to do so in order to "monitor changes" (Sheikh,

Paragraph 0009) (in data sources).

Contact Information

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is (571) 272-5629. The examiner can normally be reached on 8:30AM-5:30PM Monday-Friday.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-5629.

        Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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